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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,337	04/13/2004	Tatsuhiro Sato	37904-0054	5386

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TIAJOLOFF & KELLY
CHRYSLER BUILDING, 37TH FLOOR
405 LEXINGTON AVENUE
NEW YORK, NY 10174

EXAMINER

NGUYEN, PHU HOANG

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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11/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/824,337

Applicant(s)

SATO, TATSUHIRO

Examiner

Phu H. Nguyen

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The finality of the previous Office action is hereby withdrawn in view of new ground of rejection. Applicant's first submission after final filed on 10/11/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 12-15, 17-20, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art in view of Yoshikawa et al. (JP 10114532A), in view of Butterbaugh et al. (U.S Patent No. 6124211) and further in view of Honma et. al (JP 07183240). The applicant's admitted prior art teaches a method for producing a quartz glass jig used in a semiconductor industry, quartz glass raw material is made into a desired shape by a flame process or the like, subjected to a strain-removing annealing or the like and then washed to give a product (line 14-16 under Prior Art of this instant application's specification). The applicant's admitted prior art method does not teach subsequence steps of gas phase etching and gas phase purification on a surface layer of the quartz glass jig that will remove impurities. Yoshikawa discloses a method of etching the surface layer of the jig product with a hydrofluoric acid to decrease the contents of impurities in the product and consequently

the release of the impurities from the quartz glass is reduced (Abstract). Butterbaugh discloses gas phase etching of silicon material and contaminant films on a surface (column 1, lines 9-17). Furthermore, Honma discloses a process that supplies halogen content gas to a furnace under predetermined processing conditions to purify quartz glass (claim 1 of JP 07183240).

Regarding claim 1, it would have been obvious to one of ordinary skill in the art at the time the invention was made to produce a glass jig with reduced metal impurity by a method comprising preparation of quartz glass raw material, flame process, stress removal annealing process, gas phase etching step, gas phase purification step and washing as taught by the combination of applicant's admitted prior art, Yoshikawa et al. (JP 10114532A), Butterbaugh et al. (U.S Patent No. 6124211) and Honma et al. (JP 07183240).

Regarding claim 2, gas phase etching and gas phase purification steps are both gas phase steps that etches silicon and removes remaining metal impurity respectively. Since these two steps essentially remove different material that made up the surface of the quartz glass, they can be carried out simultaneously to save processing time.

Regarding claim 3, annealing is a heat treating step where a quartz glass is heat up to a temperature and hold then ramp down so that the surface and internal of the glass can start to cool down at temperature below strain point to remove permanent stress. Honma discloses the purification process by using hydrogen chloride gas at a furnace temperature of 1150 degree C (second to last sentence of the Constitution).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to reduce furnace operating costs by carry out gas phase etching and gas phase purification during the annealing step.

Regarding claim 4, it would be obvious to one of ordinary skill in the art at the time the invention was made to carry out gas phase etching and gas phase purification steps of claim 3 simultaneously to save processing time.

Regarding claims 5, 12, 17 and 22, Butterbaugh discloses etching quartz glass using etching gas containing fluorine can be carried out at a temperature below 300 degree C (column 7, lines 17-25) overlapping with the temperature range of 0 degree C to 1300 degree C of the instant claims 5, 12, 17 and 22.

Regarding claims 6, 13, 18 and 23, Butterbaugh discloses an etching gas containing a fluorine compound such as ClF_3 is introduced into process chamber to produce a gaseous environment in which the fluorine containing gas forms a substantial partial pressure over the substrate (column 6, lines 39-49) that are overlapping with the group consisting of C_xF_y , Cl_xF_y , N_xF_y , Si_xF_y , S_xF_y (where, $10 \geq x \geq 1$ and $10 \geq y \geq 1$), CHF_3 , HF and F_2 in the instant claims 6, 13, 18 and 23.

Regarding claim 7, 14, 19 and 24, Honma discloses the purification process by using hydrogen chloride gas at a furnace temperature of 1150 degree C (second to last sentence of the Constitution) that is within the temperature range of from 800 degree C to 1300 degree C of the instant claims 7, 14, 19 and 24. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to perform

the gas phase purification step with a temperature range of from 800 degree C to 1300 degree C in a gaseous atmosphere containing Cl.

Regarding claim 8, 15, 20, and 25, Honma discloses that hydrogen chloride gas was used as raw gas, if it is halogen content gas, it can use similarly. Furthermore, Honma defines halogen simple substance gas and halogenated compound gas are contained in halogen content gas (last two sentences of paragraph 17 under Detailed Description). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a gaseous atmosphere containing Cl is HCl_2 , Cl_2 or a combination of HCl_2 , Cl_2 since they are both halogen content gas as taught by Honma.

Claims 9, 16, 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art, Yoshikawa et al. (JP 10114532A), Butterbaugh et al. (U.S Patent No. 6124211) and Honma et. al (JP 07183240) as applied to claims 5, 12, 17 and 22 above and further in view of Hays (U.S Patent No. 3511727). The combination of applicant's admitted prior art, Butterbaugh and Hays did not disclose hydrogen gas as carrier-diluent. Hays discloses inert gases other than hydrogen, such as nitrogen and argon, may be employed as a carrier and diluent. However, the use of carrier-diluents other than hydrogen are not recommended since a preferential attack of certain semiconductor crystal planes may result, thereby producing a rough surface as opposed to the mirror finishes (line 30-37, column 3). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was

made to include hydrogen in the gaseous atmosphere containing F as a carrier-diluent to achieve mirror finishes.

Response to Arguments


Applicant's arguments with respect to claims 1-9 and 12-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu H. Nguyen whose telephone number is 571-272-5931. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Primary Examiner